

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
November 16, 2009**

CALL TO ORDER

Pursuant to due call and notice thereof, a regular meeting of the Shoreview City Council was called to order by Mayor Martin on November 16, 2009, at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance to the flag.

ROLL CALL

The following members were present: Mayor Martin; Councilmembers Huffman, Quigley, Wickstrom and Withhart.

APPROVAL OF AGENDA

MOTION: by Councilmember Wickstrom, seconded by Councilmember Huffman to approve the November 16, 2009 agenda as submitted.

ROLL CALL: Ayes - 5 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

Mayor Martin recognized Scott Stauder's achievement as an Eagle Scout. She presented him with a plaque with the following proclamation:

WHEREAS, Scott Stauder, a student from Mounds View High School, son of Dan and Karen Stauder and member of Troop 639, has earned the rank of Eagle Scout, the highest of ranks in the Boy Scouts of America; and

WHEREAS, to attain the rank of Eagle Scout, Scott had to complete a special Eagle Scout Service Project; and

WHEREAS, Scott completed his Eagle Scout project by working with area gardeners to donate fresh produce to the Centennial Food Shelf. Scott picked up the produce as it became available and delivered it to the food shelf for distribution to those in need. Scott collected a total of 1820 pounds of produce; and

WHEREAS, Scott is a current member of the National Honor Society, a Mustang Mentor, a member of the Northern Star Council Explorer Program at St. John's Hospital; a volunteer for the Leukemia and Lymphoma Society and the Elementary Targeted Services after

school program at Turtle Lake School, and worked with the Summer Camp program through Northwest Youth and Family Services.

NOW, THEREFORE, BE IT RESOLVED that I, Sandra C. Martin, Mayor of Shoreview, on behalf of the Shoreview City Council, do hereby congratulate Scott Stauder for his many accomplishments and his achievement of the rank of Eagle Scout.

Scott stated that when he worked at the Centennial Food Shelf in 2007, he learned that most of the food given is boxed or canned. He decided to solicit local gardeners for fresh food to improve nutrition for those needing to use the food shelf. He led the way to put out a community education brochure that was sent to local neighborhoods to explain the project. He advertised in the *Bulletin* and two local papers as well as going to people's houses. He arranged for food pickup to bring to the Centennial Food Shelf on Mondays and Thursdays. Over 1,800 pounds of produce was delivered.

CITIZEN COMMENTS

There were none.

COUNCIL COMMENTS

Councilmember Quigley:

A reminder of the Business Exchange that will be held Wednesday morning at 7:30 to 9:00 a.m. in the Fireside Lounge. There will be a continental breakfast. This is an opportunity for Shoreview business owners to meet and talk with staff and City Councilmembers.

Councilmember Wickstrom:

Thank you to the Shoreview Green Community Group which helped with the cleanup around the pond behind the pavilion.

The Shoreview Northern Lights Variety Band will hold its annual Christmas Concert on December 12, 2009, at Bethel Great Hall, at 7:00 p.m. There will be carriage rides from the parking lot. Tickets bought in advance are \$10.00, or \$12.00 at the door. Everyone is encouraged to go. Happy Thanksgiving to all.

Mayor Martin:

Before this Council meeting, Shoreview celebrated a wonderful well attended lighting ceremony in front of the Community Center. The switch was thrown and the entire parking area was lit for the season. Choirmembers from Turtle Lake 4th and 5th grades and Chippewa Junior High sang for the event. LED lights are being used for energy efficiency.

Councilmember Withhart:

The Shoreview Community Foundation held its first fund raising event on November 12, 2009. There was a large crowd to enjoy a wonderful Mounds View High School string group and an outstanding silent auction. The money raised will be used for grants to local organizations.

On November 17, 2009, there will be an on-line donation opportunity called Give MN. Additional donations can be given to the Shoreview Community Foundation and matching funds are available.

Mayor Martin added that preliminary numbers show that approximately \$4,000 was netted from the fund raising event. Two large gifts of \$2,000 from Turtleman Triathlon and \$5,000 from a private donor were also received. The goal is to be eligible for matching funds, and she urged residents to go on-line on November 17th to make a donation.

CONSENT AGENDA

MOTION: by Councilmember Withhart, seconded by Councilmember Wickstrom to adopt the consent agenda of November 16, 2009, approving the necessary motions and resolutions:

1. November 2, 2009 City Council Meeting Minutes
2. Receipt of Committee/Commission Minutes:
 - Economic Development Commission
 - Economic Development Authority
3. Monthly Reports:
 - Administration
 - Community Development
 - Finance
 - Public Works
 - Park and Recreation
4. Verified Claims in the Amount of \$809,294.33
5. Purchases
6. Developer Escrow Reductions

PUBLIC HEARINGS

There were none.

GENERAL BUSINESS

TRANSFER OF OFF-SALE LIQUOR LICENSE - RICE CREEK LIQUORS

Presentation by City Manager Terry Schwerm

The City received an application for an off-sale liquor license at Rice Creek Liquor to be transferred to Catalina Lo. No license may be transferred without City Council approval. All necessary paperwork has been completed. The background check shows no violations. Staff has discussed the City's concern with respect to underage alcohol sales, and Ms. Lo has attended a seminar on that issue. Staff is recommending approval of the transfer.

Councilmember Wickstrom emphasized how seriously the City looks on selling alcohol to underage minors. Ms. Lo assured the Council of her understanding of the process and procedures and that her employees will be trained.

MOTION: by Councilmember Huffman, seconded by Councilmember Wickstrom to approve the transfer of the off-sale liquor license for Rice Creek Liquor, located at 5999 Rice Creek Parkway, from Yee Vue to Catalina Lo.

ROLL CALL: Ayes: Huffman, Quigley, Wickstrom, Withhart, Martin
Nays: None

AUTHORIZATION OF PROFESSIONAL AGREEMENT FOR CONSTRUCTION MANAGEMENT - MAINTENANCE CENTER RENOVATION, CP 08-02

Presentation by Public Works Director Mark Maloney

The City's Capital Improvement Program (CIP) includes a renovation and expansion to the Maintenance Center in 2010. Previously, the Council approved professional services for the architectural design of the renovation. The contract now presented is for a construction management agreement. The budget for the entire project is \$5.5 million, which includes design services and construction management. The site and building plan has been approved and the final construction plan is nearly complete. In order to maximize competitive bidding, staff believes it will be better to have separate construction contracts. The construction management agreement would be to employ someone to advocate on behalf of the City throughout the construction process. Examples of this management approach were used with the New Brighton Public Safety Center, Columbia Heights Public Safety Center, and the Maple Grove Community Center. All of these facilities were built with the assistance of a construction manager, Earl Smith of EDS Builders, Inc. (EDS), who was employed by the City to manage the project.

The proposed agreement with EDS Builders, Inc. is divided into two stages: pre-construction and construction. The services currently proposed would move the project forward to the point of awarding a construction contract. These pre-construction services amount to approximately

\$66,000. The total value of the proposed agreement is \$271,440, which is approximately 4.9% of the total cost of the project. The remaining \$205,000 will be for a full-time on-site manager during construction. This project is extremely time sensitive with the majority of the construction to be done between March and December of 2010. EDS would serve as the City's manager and advocate for the project and oversee schedules, processing of payment requests, review of contractor's safety programs, and process design changes/shop drawings.

The project schedule as proposed is:

Construction Management Authorization	November 16, 2009
Final Plan Approval	December 21, 2009
Project Financing Hearing	January 4, 2010
Construction Contract Awards	February 2010
Construction	March-December 2010

Mayor Martin asked where there might be potential for savings. Mr. Maloney stated that the cost of the agreement is an hourly rate with an assumed number of hours. A good reality check is that the cost is under the industry standard of 5% for construction management services. Typically, a registered professional civil engineer would not be a construction manager. Mr. Smith's credentials will enable him to resolve design issues with fewer change orders rising to the level of needing City approval.

Councilmember Quigley asked how this project compares to previous projects done by EDS Builders. Mr. Maloney responded that the Columbia Heights Public Safety Center was \$11 million; the New Brighton Public Safety Center was \$9.5 million—both double the size of this project.

Councilmember Withhart noted that the construction management model was used to build City Hall and the Community Center, which was a wise decision at the time.

In answer to Councilmember Huffman, Mr. Smith stated that he will be on-site full time. Councilmember Huffman stated that he believes construction management is the right way to handle this project. However, he will vote against the motion because he is against the project as a whole.

Councilmember Wickstrom asked the consequences if the project takes longer than planned. Mr. Smith stated that he has owned his own business for 13 years and has been in construction for 30 years. He has not managed one project that went over budget. He will be looking for savings opportunities throughout the process. For example, there may be savings in the type of block to be used at the foundation shown for the brick columns planned for the building.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Quigley to adopt Resolution 09-102 authorizing execution of a Construction Management Agreement with EDS Buildings, Inc. for professional services relating to Shoreview Maintenance Facility Remodeling, C.P. 08-02.

ROLL CALL: Ayes: Quigley, Wickstrom, Withhart, Martin
Nays: Huffman

ADJOURNMENT

MOTION: by Councilmember Withhart, seconded by Councilmember Huffman to adjourn the meeting at 7:43 p.m.

ROLL CALL: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 7th DAY OF DECEMBER 2009.

Terry C. Schwerm
City Manager